

CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

KEOOUNRHAM SOUMPHOLPHARDY Special Exception No:..... **12ZHE-80173**
(MICHAEL INTHIRATH, AGENT) request(s) a Project No: **Project# 1009278**
a special exception to Section 14-16-2-17(B) Hearing Date: June 19, 2012
and Section 4, Page 8, Line 12 of the La Mesa Closing of Public Record: June 19, 2012
Sector Development Plan: a CONDITIONAL Date of Decision: July 5, 2012
USE to allow for an existing dwelling unit in a
C-2 Zone for all or a portion of Lot(s) 6,7,8,
Block(s) 24, MESA VERDE ADDN zoned C-2,
located on 308 WISCONSIN ST NE (K-19)

On June 19, 2012, the Interim Zoning Hearing Examiner Stanley D. Harada heard Project #1009278, 12ZHE-80173, a conditional use to allow for an existing dwelling unit in a C-2 zone at 308 Wisconsin St NE.

SUMMARY:

1. Michael Inthirath, agent for Lao Temple, requests a conditional use to allow an existing dwelling unit in a C-2 zone.
2. Mr. Inthirath testified that the conditional use request will not be injurious to the adjacent property, the neighborhood, or the community. This request will assist the community and will help provide for the 170 Laoation families that live in Albuquerque.
3. Mr. Inthirath testified that as the Laoation community has grown, the Lao Temple is in need of Lao monks to provide spiritual services as well as cultural survival to the families.
4. Mr. Inthirath testified that his client met with the La Mesa Community Improvement Association Board and obtained support.
5. There is a letter of support in the file from the La Mesa Community Improvement Association Board, and is signed by the Board of Directors Chair, Nancy Bearce.
6. There is no opposition in the file nor was there any opposition at the hearing.
7. The yellow signs were posted for the prescribed time.

CONCLUSION AND DECISION:

1. The request will not be injurious to the surrounding properties or community.
2. There is substantial evidence to support the application submitted, and is therefore approved.

If you wish to appeal this decision, you may do so by 5:00 p.m., on July 20, 2012 in the manner described below:

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street,

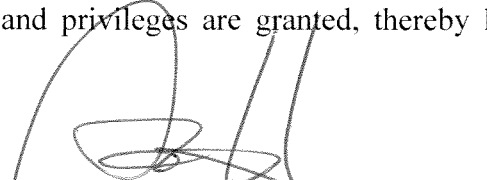
Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B)., of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Stanley D. Harada, Esq.
Interim Zoning Hearing Examiner

cc: Zoning Enforcement
ZHE File
Keounrham Soumpholphardy, 308 Wisconsin St NE, 87108
Michael Inthriath, 308 Wisconsin St NE, 87108
La Mesa Community Improvement Association, PO Box 8262, 87198